

Your Missouri Courts

2009 Annual Report

Article I, section 14 of the Missouri Constitution states
“That the courts of justice shall be open to every person.”

Welcome to the 2009 Annual Report of the Missouri Judiciary. We hope you find this report – as well as the wealth of information included in the 2009 Annual Report Statistical Supplement – to be useful in helping you understand the work the judicial branch performs.

In these uncertain financial times, organizations of every size and level must continue to find ways to conduct their business more efficiently. We in the judiciary must treat our public resources with the same care that each one of us takes in managing our own personal finances. In this report, we emphasize some of the measures we have taken to improve our delivery of services despite a decrease in resources.

Over the course of 2009, the judiciary underwent a thorough review of its operations, beginning with an agreement with Governor Jay Nixon to return \$2.7 million to the state from February to July 2009. In July 2009, the judiciary agreed to a similar arrangement to withhold \$3 million over the course of fiscal 2010. To meet these targets, we held our usual discussions with the governor and legislature while also meeting with circuit clerks, deputy clerks, juvenile officers, court reporters and judges of all levels.

These talks culminated in a meeting convened by Chief Justice William Ray Price Jr. in August 2009 at the Supreme Court. Presiding judges of Missouri’s 45 circuits, members of the Supreme Court’s Circuit Court Budget Committee, leadership of the associate circuit judges, and chief judges of each of the state’s three appellate districts all debated the merits of the various available options.

Certain proposals resulted in great consensus, including further expansion of videoconferencing technology. By partnering with the department of corrections to provide videoconferencing hearings for incarcerated persons, we have saved travel and time for both the judiciary and corrections. Other proposals, including consolidating circuit clerical operations and suspending temporary clerical support, represent the best of several difficult options. Judicial positions also have been held vacant, requiring courts to think critically about docket management to avoid backlogs.

Our annual report also emphasizes some of our successes from the past year. By any measure, we are fortunate to have personnel who are dedicated to providing a high-quality system of justice. The personal stories included here are just two examples of the fine




people with whom we work. There are countless others whose service in their courts, communities and committees have improved the delivery of justice to all.

As this report demonstrates, we continue to evaluate our effectiveness in delivering justice to the citizens of Missouri, and we celebrate those whose achievements exemplify the true calling of public service. We welcome your input, thoughts and ideas about how we may work with each of you toward further improvements, and we remain dedicated to our constitutional duty to provide justice to all of our citizens. Please take the time to review this annual report as our testament of that commitment to you.

Sincerely,


William R. Price Jr.

Chief Justice


Gregory J. Linhares
State Courts Administrator

Innovation in the Courts

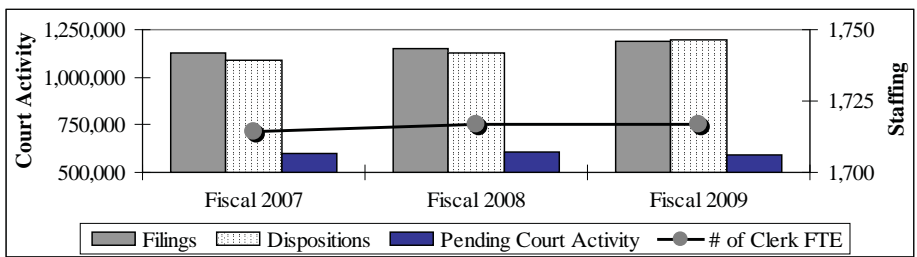
- The **unified family court** pilot programs in the 11th circuit (St. Charles County) and the 25th circuit (Maries, Phelps, Pulaski and Texas counties) provide unified case management to ensure cases involving children and families are handled in a fair, timely, effective and cost-efficient manner.
- A **fathering court** in Jackson County identifies barriers preventing payment of support and directs non-paying noncustodial parents to services to help resolve the issues.
- The **Mid-Missouri Access to Justice Project** in Boone and Callaway counties provides assistance to low-income individuals with domestic relations cases.
- A **specialized civil domestic violence court** in St. Louis County centralizes the handling of domestic violence cases to coordinate court and community resources and enhance judicial monitoring.
- A **DWI court** in Greene County helps people arrested for drunken driving break their drinking habits and learn how to drive safely.



Judge **Jimmie Edwards'** leadership and dedication led to an innovative partnership involving St. Louis city's juvenile

court division, school district and community agencies that benefits hard to reach kids who are disruptive in the classroom or who have been expelled from school. The goal of the Innovative Concept Academy is to increase the protective factors available to these youth. These factors are aimed at eliminating at-risk behaviors that negatively impact the St. Louis community. It was Judge Edwards' vision – now recognized nationally – that the academy offer any child the education he or she needs and deserves to become a successful person.

Filings in the Circuit Courts



- Over the past three fiscal years, activity in the circuit courts (i.e., formal cases, administrative filings, diversions to the Fine Collection Center, etc.) increased by more than 5 percent, representing almost 65,000 filings.
- During this time, the overall clearance rate increased by 4 percent, indicating the circuit courts are keeping up with the incoming filings. Additionally, the pending court activity decreased by almost 2 percent. As a result, the circuit courts' backlog has decreased by almost 12,000 filings.
- The circuit courts achieved these gains despite a 5.6-percent increase in filings that was matched by only a 0.1-percent increase in local court clerks who process these filings.

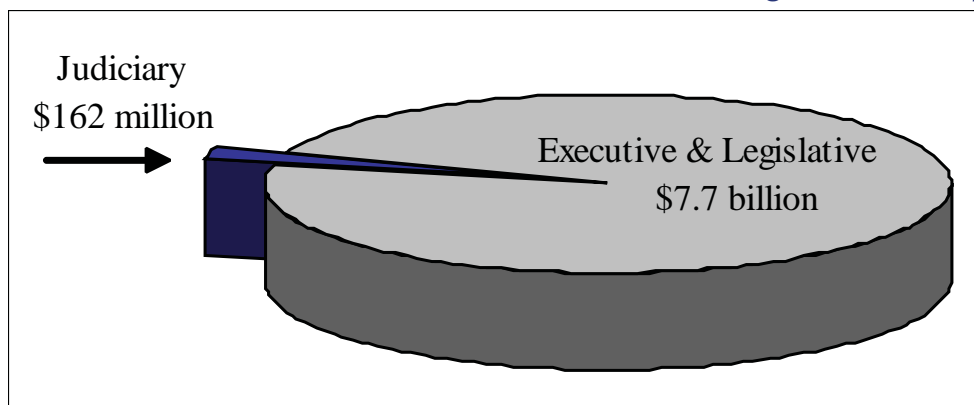
Awards for Timely and Efficient Management and Case Processing

Several courts received awards for timely and efficient management and processing of cases during fiscal 2009. The O'Toole Award is given to circuits for achieving at least five of the 10 case processing time standards and for not being more than 5 percent from achieving the remaining standards. The Permanency Award is given to circuits for successfully holding timely hearings in child abuse and neglect cases in which children removed from their homes are to be reunited with their families or placed in a permanent home. Supreme Court Judges Mary Russell and Zel Fischer, State Courts Administrator Greg Linhares and Deputy State Courts Administrator Gary Waint traveled to the following circuits to present awards:

O'Toole Award: 1 (Clark, Schuyler and Scotland counties); 3 (Grundy, Harrison, Mercer and Putnam counties); 4 (Atchison, Gentry, Holt, Nodaway and Worth counties); 5 (Andrew and Buchanan counties); 8 (Carroll and Ray counties); 9 (Chariton, Linn and Sullivan counties); 10 (Audrain, Marion, Monroe and Ralls counties); 14 (Howard and Randolph counties); 15 (Lafayette and Saline counties); 19 (Cole County); 32 (Bollinger, Cape Girardeau and Perry counties); 36 (Butler and Ripley counties); and 41 (Macon and Shelby counties).

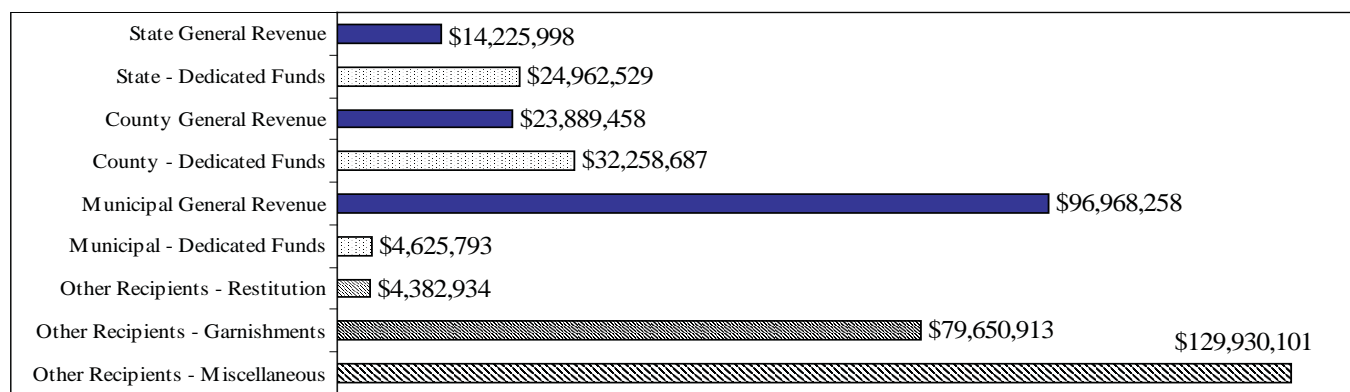
Permanency Award: 1 (Clark, Schuyler and Scotland counties); 2 (Adair, Knox and Lewis counties); 4 (Atchison, Gentry, Holt, Nodaway and Worth counties); 5 (Andrew and Buchanan counties); 6 (Platte County); 8 (Carroll and Ray counties); 10 (Audrain, Marion, Monroe and Ralls counties); 13 (Boone and Callaway counties); 15 (Lafayette and Saline counties); 16 (Jackson County); 18 (Cooper and Pettis counties); 21 (St. Louis County); 22 (City of St. Louis); 23 (Jefferson County); 25 (Maries, Phelps, Pulaski and Texas counties); 26 (Camden, Laclede, Miller, Moniteau and Morgan counties); 30 (Benton, Dallas, Hickory and Polk counties); 32 (Bollinger, Cape Girardeau and Perry counties); 36 (Butler and Ripley counties); 38 (Christian and Taney counties); 41 (Macon and Shelby counties); 44 (Douglas, Ozark and Wright counties); and 45 (Lincoln and Pike counties).

General Revenue Funding for the Judiciary



- For fiscal 2010, the judiciary (Supreme Court, three appellate court districts and 45 circuit courts serving 115 counties) received approximately 2 percent of statewide general revenue appropriations.

Disbursements from the Circuit Courts



- In fiscal 2009, Missouri's circuit courts disbursed almost \$300 million. Approximately 14 percent of this amount – more than \$40 million – went into the discretionary spending account(s) of state, county or municipal governments. The remaining funds were divided among restitution, garnishments and dedicated funds such as crime victims' compensation, domestic violence, independent living, spinal cord & head injury, law enforcement training, and others.

Drug and Treatment Courts

Treatment court dockets are a proven cost-effective alternative to incarceration and probation in addressing the increased rates in sentencing and new prison admissions for drug and alcohol offenders. These programs add substance abuse treatment and intensive judicial supervision to traditional probation.

Participants learn discipline and sobriety skills and are returned to their families and communities as productive, tax-paying citizens. These successful participants are far less likely to reoffend than those who have been incarcerated or sentenced to probation without treatment.

There are approximately 3,000 people currently participating in treatment court dockets. To date, there are more than 8,400 treatment court graduates and 400 babies born drug-free to treatment court participants.

Municipal Court Divisions

- Since fiscal 2005, municipal division filings increased by 12 percent, exceeding 1 million new cases in each of the last two years.
- Since fiscal 2005, the municipal division's pending caseload increased by more than 40 percent, with an even larger increase among alcohol- and drug-related traffic cases.
- In fiscal 2008 and 2009, municipal division collections and, accordingly, disbursements decreased, including those for crime victims' compensation and domestic violence shelter funds.
- Thirty-seven municipal divisions now are using the Judicial Information System.

Additional Information

- The Missouri Judiciary's Web site is www.courts.mo.gov.
- The fiscal 2009 Annual Statistical Report is available online at <http://www.courts.mo.gov/page.jsp?id=296>.
- The fiscal 2009 Judicial Finance Commission report has been incorporated into the fiscal 2009 Annual Statistical Report and is available online at <http://www.courts.mo.gov/page.jsp?id=35027> (Tables 78 and 79).
- This report is available online at <http://www.courts.mo.gov/page.jsp?id=296>.

Court Technology

For more than 15 years, we have been committed to improving efficiency and enhancing the administration of justice by using standardized technical infrastructure and communications network and by providing automated tools to the courts of Missouri. Today, due to technology, all state courts can communicate electronically, manage their caseloads and report required information effectively, account accurately for money received and disbursed, administer jury selection and tracking, hear cases and meet remotely using videoconferencing technology, and provide public information access via the World Wide Web. Additionally, a basic electronic filing system for the submission of case documents is being developed. Technology is now an integral, sustaining part of the courts' daily operations.

Children's Services

Ten family/juvenile court divisions have undertaken a multidisciplinary team approach to using agency and court data systems to improve case handling and child-specific outcomes through intensive data-focused interaction and training with children's division personnel. Sites report improvements in areas with which the rest of the state is struggling including reducing the number of children in care, the average time a child spends in care, the average time in care before reunification and the average number of placements while in care; increasing reunification with parents and the number of youth placed with relatives; and improving the timeliness of hearings.

Nine sites are working with the national Juvenile Detention Alternatives Initiative project, and Missouri is being considered as a juvenile justice model to showcase improvements in statewide juvenile justice reform.



Circuit Clerk **Christy Hency** says she was “amazed, overwhelmed and deeply intrigued” by the daily processes of the Missouri courts when she first went to work in the Scott County circuit clerk’s office in 1997. Having grown up in a protected, rural farming community, she found the cases in the circuit criminal division – and then the domestic division – eye-opening, exciting and complex. After her court consolidated its clerk’s office in 2007, she spent her time filling in where needed, learning, organizing, tackling issues and answering questions from every aspect of our courts. In 2009, she was appointed to complete the term of the retiring circuit clerk. Each phase of her career in the clerk’s office, Hency says, initially “disguised itself as impossible” but presented opportunity and challenged her to grow and expand her abilities. “Regardless of the various caseloads I have juggled, each was made easier by the incredible training offered through the Office of State Courts Administrator.” Through webinars, Web-based interactive courses, classroom courses, clerk colleges and other court programs, Hency says she gained “the necessary tools to process business effectively, efficiently and confidently.”

Judicial Education

We continue to provide continuing judicial education to ensure judges are confident and at the leading edge of legal knowledge. The demands of the public for fair, just and efficient dispensation of justice requires skilled and competent personnel if the integrity of the judicial system is to be maintained. Judicial education is crucial to our operations and is required for all judges. It serves to orient new judges and employees to a complex set of laws and procedures, all of which must be adhered to if the citizens of Missouri are to have their cases resolved fairly and expeditiously. Our educational curriculum is built on a platform of key skills and core competencies essential to almost 4,000 state, county and municipal personnel who have no other means to acquire the information needed to discharge day-to-day responsibilities.

Nineteen Missouri judges are certified nationally as Advanced Science and Technology Adjudication Resources (ASTAR) judges. This specialized training prepares judges to try cases that involve novel and complex technical and scientific evidence.

Changes in Legislation and Court Rules

- SB 265 extends the sunset for the court automation fee until Sept. 1, 2013, and for the Court Automation Committee until Sept. 1, 2015.
- HB 481 requires that SSN and financial account numbers in civil and domestic relations pleadings show only the last four digits of the number and that only the child’s age appear in domestic relations pleadings. It also requires the use of a confidential case filing sheet and closes all the final or interlocutory judgments in domestic relations cases prior to Aug. 28, 2009.
- HB 481 adopted the Uniform Child Custody Jurisdiction and Enforcement Act.
- Supreme Court Operating Rule 2.04 was amended so, effective Jan. 1, 2010, orders of protection will appear on Case.net only if a full order of protection has been entered.
- Court Operating Rule 8 was revised and updated to clarify, effective Jan. 1, 2010, the destruction schedule for court records.
- The Supreme Court Rules for juvenile court divisions were revised completely, effective Jan. 1, 2010, to delineate clearly those rules that apply to delinquency and to child abuse and neglect cases and those rules that apply to all juvenile cases.